

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

AEROSOL CAN HOLDING AND OPERATING DEVICE

the specification of which is attached hereto.

I further state that I do not know and do not believe that the above-named invention has ever been known or used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or in public use or on sale in the United States more than one year prior to this application; that the invention has not been patented or made the subject of any inventor's certificate in any country foreign to the United States on any application filed by me or my legal representatives or assigns more than one (1) year prior to this application; and that no application for patent or inventor's certificate on the invention has been filed by me or my representatives or assigns in any country foreign to the United States, except as identified below.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment if applicable.

I acknowledge the duty to disclose information to the Patent and Trademark Office all information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United

States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>
<u>NONE</u> (Number)	<u> </u> (Country)
	<u> </u> (Day/Month/ Year Filed)
	<u> </u> (Yes)
	<u> </u> (No)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States Provisional application(s) listed below:

<u>NONE</u> (Application No.)	<u> </u> (Filing Date)
----------------------------------	--

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365 (c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>NONE</u> (Application No.)	<u> </u> (Filing Date)	<u> </u> (Status - patented, pending, abandoned)
----------------------------------	--	---

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith: Sean A. Kaufhold, Registration Number 46,820.

Send Correspondence to: Sean A. Kaufhold
P.O. Box 131447
Carlsbad, CA 92013
Telephone (760) 470-3368
Facsimile (760) 631-1557

Full Name of Inventor: Shawn P. Wertz

Shawn P. Wertz Date: 8-26-03
Inventor's Signature

Residence: P O Box 154
Flinton, PA 16640
United States

Citizenship: **UNITED STATES OF AMERICA**

Post Office Address: P O Box 154
Flinton, PA 16640

Full Name of Inventor: Robin L. Wertz

Robin L. Wertz Date: 8-26-03
Inventor's Signature

Residence: P O Box 154
Flinton, PA 16640
United States

Citizenship: **UNITED STATES OF AMERICA**

Post Office Address: P O Box 154
Flinton, PA 16640